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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Robert J. Peach, et al. **Examiner:** Not Yet Known  
**Serial No.:** 09/865,321 **Group Art Unit:** 1646  
**Filed:** May 23, 2001 **Docket No.:** 30436.57USU1  
**Title:** SOLUBLE CTLA4 MUTANT MOLECULES AND USES THEREOF

**CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on June 19, 2001.

  
By: Tracy Truitt

**INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b)(1))**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. They are as follows:

- U.S. Patent No. 5,637,481 June 10, 1997 (Exhibit 1)
- U.S. Patent No. 5,773,253, June 30, 1998 (Exhibit 2)
- U.S. Patent No. 5,844,095, December 1, 1998. (Exhibit 3)
- U.S. Patent No. 5,851,795, December 22, 1998 (Exhibit 4)
- U.S. Patent No. 5,885,579, December 23, 1999. (Exhibit 5)
- U.S. Patent No. 5,885,796, March 23, 1999. (Exhibit 6)
- U.S. Patent No. 5,958,403, September 28, 1999. (Exhibit 7)
- U.S. Patent No. 5,968,510, October 10, 1999. (Exhibit 8)

- U.S. Patent No. 5,997,318, November 2, 1999. (Exhibit 9)
- Foreign App. No. EP 757,099, May 2, 1997. (Exhibit 10)
- Foreign App. No. WO 93/00,431, January 7, 1993. (Exhibit 11)
- Foreign App. No. WO 95/01,994, January 19, 1995. (Exhibit 12)
- Foreign App. No. WO 95/33,770, December 14, 1995. (Exhibit 13)
- Foreign App. No. WO 97/28,267, August 7, 1997. (Exhibit 14)
- Foreign App. No. WO 97/37,687, October 16, 1997. (Exhibit 15)
- Foreign App. No. WO 97/47,732, December 18, 1997. (Exhibit 16)
- Foreign App. No. WO 98/31,820, July 23, 1998. (Exhibit 17)
- Foreign App. No. WO 98/33,513, August 6, 1998. (Exhibit 18)
- Foreign App. No. WO 99/29,883, June 17, 1999. (Exhibit 19)
- Foreign App. No. WO 99/47,558, November 23, 1999. (Exhibit 20)
- Foreign App. No. WO 99/49,734, October 7, 1999. (Exhibit 21)
- Foreign App. No. WO 99/51,275, October 14, 1999. (Exhibit 22)
- Foreign App. No. WO 99/57,266, November 11, 1999. (Exhibit 23)
- Turka et al. (1992), Proc. Natl. Acad. Sci USA 89:11102-11105. (Exhibit 24)
- Lenschow et al. (1992) Science 257:289-792. (Exhibit 25)
- Linsley et al. (1992), Science 257:792-795. (Exhibit 26)
- Linsley et al. (1992), J. Exp. Med. 176:1595-1604. (Exhibit 27)
- Tan et al. (1993), J. Exp. Med. 177:165-173. (Exhibit 28)
- Linsley et al. (1994) Immunity 1:793-801. (Exhibit 29)

- Peach et al. (1994), J. Exp. Med. 180:2049-2058. (Exhibit 30)
- Steurer et al. (1995) J. Immunol. 155:1165-1174. (Exhibit 31)
- Fargeas et al. (1995) J. Exp. Med. 182:667-675. (Exhibit 32)
- Peach et al. (1995) J. Biol. Chem. 270(36): 21181-21187. (Exhibit 33)
- Alegre et al. (1995) Dig. Dis. Sci. 40(1):58-64. (Exhibit 34)
- Guo et al. (1995) J. Exp. Med. 181:1345-1355. (Exhibit 35)
- Rattis et al. (1996) Eur. J. Immunol. 26:449-453. (Exhibit 36)
- Murakami et al. (1996) Proc. Nat. Acad. Sci. USA 93:7838-7842. (Exhibit 37)
- Morton et al. (1996) J. Immunol. Feb 1; 156:1047-1054. (Exhibit 38)
- Parsons et al (1996) Immunogenetics 43:388-391. (Exhibit 39)
- Oaks et al (1996) Immunogenetics 43:172-174. (Exhibit 40)
- Peach et al. (1995) Methods 8:116-123. (Exhibit 41)
- Harris et al. (1997) J. Exp. Med. 185:177-182. (Exhibit 42)
- Greene et al. (1996) J. Bio. Chem. 271:26762-26771. (Exhibit 43)
- van der Merwe et al. (1997) J. Exper. Med. 185:393-403. (Exhibit 44)
- Gallon et al. (1997) J. Immunol. 159:4212-4216. (Exhibit 45)
- Höllsberg et al. (1997) J Immunol. 159:4799-4805. (Exhibit 46)
- Bajorath et al. (1997) J Mol Graphics and Modeling 15:135-139. (Exhibit 47)
- Greenwald et al. (1997) J Immunol. 158:4088-4096. (Exhibit 48)
- Metzler et al. (1997) Nat Struc Bio 4:527-531. (Exhibit 49)
- Rajesh et al. (1998) Pharm Sci Supplement S-535. (Exhibit 50)

- Nuttall et al. (1999) Proteins: Structure, Functions, and Genetics 36:217-227. (Exhibit 51)
- Pearson et al. (2000) Transplantation 69:S-123. (Exhibit 52)
- Reynolds et al. (2000) J Clinical Investigation 105:643-651. (Exhibit 53)
- Cinek et al. (2000) J Immunol. 164:5-8. (Exhibit 54)
- Masteller et al. (2000) J Immunol. 164:5319-5327. (Exhibit 55)
- Hufton et al. (2000) FEBS Letters 475:225-231. (Exhibit 56)
- Larsen, Christian P. (2000) LEA29Y 20 Pages of Slides (Exhibit 57)

This statement should be considered because it is submitted within three months of the filing date of the national application (i.e. before August 23, 2001). In accordance with 37 C.F.R. §1.98(a)(2), copies of Exhibits 1-57 as set forth in the Form 1449 are included herewith.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that the references have been thoroughly reviewed or that any relevance of any portion of a reference is intended.

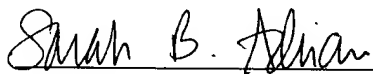
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. § 609, it is requested that the Examiner return a copy of the attached Form 1449,

Robert J. Peach, et al.  
Serial No. 09/865,321  
Filed: May 23, 2001  
Page 5

marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.


No fee is deemed necessary in connection with the filing of this Information Disclosure Statement. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee, or credit any overpayment, to Deposit Account No. 50-0306.

Respectfully submitted,



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|---|--|--|---|
| <b>FORM 1449*</b>   |  | <b>Docket Number</b><br>30436.57USU1       | <b>Application Number</b><br>09/865,321 |
|  <b>INFORMATION DISCLOSURE STATEMENT<br/>IN AN APPLICATION</b><br>(Use several sheets if necessary) |  | <b>Applicant</b><br>Robert J. Peach et al. |   |
|   |  | <b>Filing Date</b><br>May 23, 2001         | <b>Group Art Unit</b><br>Not yet known  |

| U.S. PATENT DOCUMENTS |                       |          |                  |       |          |                               |
|-----------------------|-----------------------|----------|------------------|-------|----------|-------------------------------|
| EXAMINER<br>INITIAL   | DOCUMENT NO.          | DATE     | NAME             | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|                       | 5,637,481 (Exhibit 1) | 6/10/97  | Ledbetter et al. |       |          | 9/13/93                       |
|                       | 5,773,253 (Exhibit 2) | 6/30/98  | Linsley et al.   |       |          | 7/21/95                       |
|                       | 5,844,095 (Exhibit 3) | 12/1/98  | Linsley et al.   |       |          | 1/18/95                       |
|                       | 5,851,795 (Exhibit 4) | 12/22/98 | Linsley et al.   |       |          | 6/2/96                        |
|                       | 5,885,579 (Exhibit 5) | 3/23/99  | Linsley et al.   |       |          | 7/8/97                        |
|                       | 5,885,796 (Exhibit 6) | 3/23/99  | Linsley et al.   |       |          | 7/8/97                        |
|                       | 5,958,403 (Exhibit 7) | 9/28/99  | Strom et al.     |       |          | 7/11/94                       |
|                       | 5,968,510 (Exhibit 8) | 10/19/99 | Linsley et al.   |       |          | 10/4/96                       |
|                       | 5,977,318 (Exhibit 9) | 11/2/99  | Linsley et al.   |       |          | 6/7/95                        |

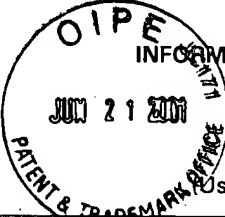
| FOREIGN PATENT DOCUMENTS |                           |          |         |       |          |             |    |
|--------------------------|---------------------------|----------|---------|-------|----------|-------------|----|
|                          | DOCUMENT NO.              | DATE     | COUNTRY | CLASS | SUBCLASS | TRANSLATION |    |
|                          |                           |          |         |       |          | YES         | NO |
|                          | EP 757,099 (Exhibit 10)   | 5/2/97   | Europe  |       |          |             | X  |
|                          | WO 93/00,431 (Exhibit 11) | 1/7/93   | PCT     |       |          |             | X  |
|                          | WO 95/01,994 (Exhibit 12) | 1/19/95  | PCT     |       |          |             | X  |
|                          | WO 95/33,770 (Exhibit 13) | 12/14/95 | PCT     |       |          |             | X  |
|                          | WO 97/28,267 (Exhibit 14) | 8/7/97   | PCT     |       |          |             | X  |
|                          | WO 97/37,687 (Exhibit 15) | 10/16/97 | PCT     |       |          |             | X  |
|                          | WO 97/47,732 (Exhibit 16) | 12/18/97 | PCT     |       |          |             | X  |
|                          | WO 98/31,820 (Exhibit 17) | 7/23/98  | PCT     |       |          |             | X  |
|                          | WO 98/33,513 (Exhibit 18) | 8/6/98   | PCT     |       |          |             | X  |
|                          | WO 99/29,883 (Exhibit 19) | 6/17/99  | PCT     |       |          |             | X  |
|                          | WO 99/47,558 (Exhibit 20) | 9/23/99  | PCT     |       |          |             | X  |
|                          | WO 99/49,734 (Exhibit 21) | 10/7/99  | PCT     |       |          |             | X  |
|                          | WO 99/51,275 (Exhibit 22) | 10/14/99 | PCT     |       |          |             | X  |
|                          | WO 99/57,266 (Exhibit 23) | 11/11/99 | PCT     |       |          |             | X  |

|                 |                        |
|-----------------|------------------------|
| <b>EXAMINER</b> | <b>DATE CONSIDERED</b> |
|-----------------|------------------------|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

\*Substitute Disclosure Statement Form (PTO-1449)

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

|  |                                     |                                  |
|--|-------------------------------------|----------------------------------|
| <b>FORM 1449*</b><br><br> <b>IN AN APPLICATION</b><br><br>(Use several sheets if necessary) | Docket Number<br>30436.57USU1       | Application Number<br>09/865,321 |
|  | Applicant<br>Robert J. Peach et al. |                                  |
|  | Filing Date<br>May 23, 2001         | Group Art Unit<br>Not yet known  |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) |  |   |
|--|--|---|
|  |  | Turka et al. (1992), Proc. Natl. Acad. Sci USA 89:11102-11105 (Exhibit 24)                  |
|  |  | Lenschow et al. (1992) Science 257: 789-792 (Exhibit 25)                                    |
|  |  | Linsley et al. (1992) Science 257: 792-795 (Exhibit 26)                                     |
|  |  | Linsley et al. (1992) J. Exp. Med. 176:1595-1604 (Exhibit 27)                               |
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\*Substitute Disclosure Statement Form (PTO-1449)

FORM 1449\*



**INFORMATION DISCLOSURE STATEMENT  
IN AN APPLICATION**

(Use several sheets if necessary)

Docket Number

30436.57USU1

Application Number

09/865,321

Applicant

Robert J. Peach et al.

Filing Date

May 23, 2001

Group Art Unit

Not yet known

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Masteller et al. (2000) J Immunol. 164:5319-5327. (Exhibit 55)

Hufton et al. (2000) FEBS Letters 475:225-231. (Exhibit 56)

Larsen, Christian P. (2000) LEA29Y 20 Pages of Slides (Exhibit 57)

EXAMINER

DATE CONSIDERED

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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert J. Peach, et al.  
Serial No.: 09/865,321  
Filed: May 23, 2001  
Docket: 30436.57USU1  
Title: SOLUBLE CTLA4 MUTANT MOLECULES AND USES THEREOF

CERTIFICATE UNDER 37 CFR 1.8

I hereby certify that this paper or fee is being deposited with the United States Postal as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on June 19, 2001.

By: Tracy  
Name: Tracy Truick

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.8.
- ☒ Information Disclosure Statement (37 C.F.R. §1.97(b)(1))
- ☒ Form 1449 (Information Disclosure Statement)
- ☒ Exhibits 1-57
- ☒ Return postcard

Please charge any additional fees or credit overpayment to Deposit Account No. 50-0306. A duplicate of this sheet is enclosed.

MANDEL & ADRIANO

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Pasadena, California 91103  
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By: Sarah B. Adriano

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Reg. No.: 34,470  
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